



#3

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: )  
)  
Caldwell, *et al.* ) Examiner: To be assigned  
)  
Serial No.: 09/973,411 ) Art Unit: To be assigned  
)  
Filed: October 9, 2001 ) Attorney Doc. No. T103 1300.4  
) (Prior Doc. No. 627-311CT3)  
For: Compounds Capable of Activating )  
Cholinergic Receptors )

**POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST**  
**(REVOCATION OF PRIOR POWERS)**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

As assignee of record of the entire interest of the above-identified patent application

**REVOCATION OF PRIOR POWERS OF ATTORNEY**

All powers of attorney previously given are hereby revoked and

**NEW POWER OF ATTORNEY**

the following attorney is hereby appointed to prosecute and transact all business in the Patent and Trademark Office connected therewith:

Carl B. Massey, Jr. Reg. No. 44,224  
Steven D. Kerr, Reg. No. 32,472  
James F. Vaughan, Reg. No. 31,889  
Louis T. Isaf, Reg. No. 29,078  
David Hayzer, Ph.D., Reg. No. 43,329  
Tom McGurk, Reg. No. 44,920  
Brian J. Hairston, Reg. No. 46,750  
Jack B. Hicks, Reg. No. 34,180  
Craig Popalis, Reg. No. P-49,028  
Lewis S. Rowell, Reg. No. 45,469.

D. Scott Sudderth, Reg. No. 34,026  
John J. Timar, Reg. No. 32,497  
Michael A. Cicero, Reg. No. 34,562  
David Bradin, Reg. No. 37,783  
Jacqueline Austin, Reg. No. 43,329  
Steven L. Schmid, Reg. No. 39,358  
Kathleen Neuner Manne, Reg. No. 40,101  
Jeffrey R. McFadden, Reg. No. 46,916  
Robert C. Rhodes, Reg. No. 24,200

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ASSIGNMENT

WHEREAS, R.J. Reynolds Tobacco Company, a corporation of the State of New Jersey, and having a place of business at 410 N. Main Street, Winston-Salem, North Carolina 27102, is the owner of all right, title and interest in and to the invention entitled COMPOUNDS CAPABLE OF ACTIVATING CHOLINERGIC RECEPTORS, filed in the U.S. Patent and Trademark Office on March 9, 2000 and assigned Serial No. 09/522,117; on August 18, 2000 and assigned Serial No. 09/641,496; and on October 9, 2001 and assigned Serial No. 09/973,411.


WHEREAS, Targacept, Inc., a corporation of the State of Delaware, and having a place of business at 950 Reynolds Boulevard, Winston-Salem, North Carolina 27105, is desirous of acquiring the entire right, title and interest in and to the invention entitled COMPOUNDS CAPABLE OF ACTIVATING CHOLINERGIC RECEPTORS, filed in the U.S. Patent and Trademark Office on March 9, 2000 and assigned Serial No. 09/522,117; on August 18, 2000 and assigned Serial No. 09/641,496; and on October 9, 2001 and assigned Serial No. 09/973,411.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, R. J. Reynolds Tobacco Company assigns and transfers unto Targacept, Inc. its entire right, title, and interest in and to said applications, in and to any divisions, continuations, and reissues thereof, in and to any patents to issue therefrom and in and to all inventions and improvements disclosed and described in said applications, preparatory to obtaining Letters Patent of the United States therefor; and R. J. Reynolds Tobacco Company hereby requests the Commissioner of Patents and Trademarks to issue any and all Letters Patent of the United States resulting from said applications, or from a division, continuation, or reissue thereof, to Targacept, Inc., as assignee, for its interest, and for the sole use and behalf of Targacept, Inc. and its assigns and legal representatives.

AND, for the same consideration, R. J. Reynolds Tobacco Company agrees to sign all lawful papers, execute all documents, including any divisional, continuing, reissue and other applications and make all assignments and rightful oaths as needed to aid Targacept, Inc., its successors, assigns, and nominees, to obtain and enforce proper protection for all said inventions and improvements in all countries throughout the world.

By: David E. Townsend  
Printed Name: David E. Townsend  
Title: Executive Vice President, R&D  
Date: 12/18/01

[illegible]


**OFFICIAL SEAL**  
**SUSAN C. ELLIOTT**  
**NOTARY PUBLIC-NORTH CAROLINA**  
**COUNTY OF FORSYTH**  
 My Commission Expires December 7, 2002

My Commission Expires: December 7, 2002



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For: Compounds Capable of Activating )  
Cholinergic Receptors )

### POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST (REVOCATION OF PRIOR POWERS)

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

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### REVOCATION OF PRIOR POWERS OF ATTORNEY

All powers of attorney previously given are hereby revoked and

### NEW POWER OF ATTORNEY

the following attorney is hereby appointed to prosecute and transact all business in the Patent and Trademark Office connected therewith:

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Steven L. Schmid, Reg. No. 39,358  
Kathleen Neuner Manne, Reg. No. 40,101  
Jeffrey R. McFadden, Reg. No. 46,916  
Robert C. Rhodes, Reg. No. 24,200

Appln. No. 09/973,411

Assignee hereby grants said attorneys the power to insert on the Power of Attorney any further identification which may be necessary or desirable in order to comply with the rules of the U.S. Patent and Trademark Office.

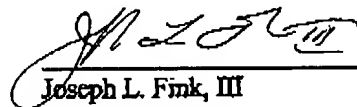
Send Correspondence to:

Carl B. Massey, Jr.  
Womble Carlyle Sandridge & Rice, PLLC  
Post Office Box 7037  
Atlanta, Georgia 30357-0037

Direct phone calls to: (336) 721-3681

A Certificate Under 37 C.F.R. §3.73(b) is attached.

Respectfully submitted,

  
\_\_\_\_\_  
Joseph L. Fink, III  
Assistant Director  
University of Kentucky Research Foundation



## Certificate Under 37 C.F.R. § 3.73(b)

Applicants: Caldwell, et al.  
Application No.: 09/973,411 Filed: October 9, 2001

For: COMPOUNDS CAPABLE OF ACTIVATING CHOLINERGIC RECEPTORS  
Targacept, Inc a corporation  
(Name of Assignee) (Type of Assignee, e.g. corporation, partnership, university, government agency, etc.)

certifies that is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A. ☐ An Assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and trademark Office at Reel       , Frame       , or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: Inventors To: R.J. Reynolds Tobacco Company  
The document was recorded in the Patent and Trademark Office at  
Reel 9487, Frame 0351, or which a copy thereof is attached.
2. From: R.J. Reynolds Tobacco Company To: Targacept, Inc.  
The document was recorded in the Patent and Trademark Office at  
Reel       , Frame       , or which a copy thereof is attached.
3. From:        To:         
The document was recorded in the Patent and Trademark Office at  
Reel       , Frame       , or which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee. I hereby declare that all statements made herein of my own knowledge are true, and that all statements are made on information and belief to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application of any patent issuing thereon.

Name: Don Kirksey, Ph.D.

Date: 17DEC01

Title: Vice President, Corporate and Business Development

Signature: [Signature]



Certificate Under 37 C.F.R. § 3.73(b)

Applicants: Caldwell, et al.  
Application No.: 09/973,411 Filed: October 9, 2001

For: COMPOUNDS CAPABLE OF ACTIVATING CHOLINERGIC RECEPTORS  
University of Kentucky Research Foundation, a not-for-profit Kentucky corporation  
(Name of Assignee) (Type of Assignee, e.g. corporation, partnership, university, government agency, etc.)

certifies that is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A. ☒ An Assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and trademark Office at Reel 9487, Frame 0351, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or which a copy thereof is attached.

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The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee. I hereby declare that all statements made herein of my own knowledge are true, and that all statements are made on information and belief to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application of any patent issuing thereon.

Name: Joseph L. Fink, III

Date: December 14, 2001

Title: Assistant Director

Signature: [Signature]

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